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E.O. 12958: DECL: 05/16/2016  
TAGS: [MOPS](#) [PARM](#) [PREL](#) [NATO](#) [NO](#)  
SUBJECT: CLUSTER MUNITIONS: NORWAY ASKS U.S. TO PROVE  
MILITARY UTILITY

REF: SECSTATE 64981

Classified By: Deputy Chief of Mission, Kevin M. Johnson for  
reasons 1.4 b and d

**¶11.** (C) SUMMARY: Embassy met on May 16 with key MFA and MOD members of the Norwegian cluster munitions task force to deliver reftel points on our objections to the Lima text. The Norwegians continue to maintain that they are not seeking a total ban, and that the text was not designed to be a starting point for an eventual treaty but merely a basis for discussion. They expressed a desire to balance military utility with humanitarian concerns and asked for more detailed, factual and realistic explanations on the military utility of cluster munitions. Norway would support a negotiation mandate at the CCW as long as it included prohibition of at least some cluster munitions and prohibited the transfer of cluster munitions, but remains skeptical of the CCW's ability to deliver meaningful progress. END SUMMARY.

**¶12.** (C) The Norwegians by and large dismissed U.S. concerns over the Lima text. Their view is that the Lima text should not be considered a total ban as it is not intended as a starting point for negotiations but instead is merely a text to stimulate discussion. They did not accept the point that any beginning text would in all likelihood be very similar to the final text of any international agreement. According to the Norwegians, actual negotiations on a text will not be held in Lima but at a later meeting, possibly in Vienna in December 2007 or Wellington in February 2008 or Dublin in June 2008.

**¶13.** (C) Similarly they rejected our point that as written the text would have any impact on alliance or coalition activities. They stated that the &penal sanctions& clause had been copied directly from the land mine treaty and that the land mine treaty did not have any negative effects on alliance interoperability. They also stressed the involvement of many NATO allies in the Oslo process. They requested specific examples of how the land mine treaty impacted alliance operations.

**¶14.** (C) The Norwegians pointed to the growing number of countries that will attend Lima to counter the point that without the major military powers any treaty will be ineffective. One of Norway's goals through the Oslo process is to bring African and other countries, not members of the CCW, into an international treaty on cluster munitions. They see the Oslo process as the best mechanism to do this and are

worried that without an international treaty there is a danger that cluster munitions will spread to Africa. They also repeated the point that many NATO allies are participating in the Oslo process and that countries like Australia have requested an invitation to the Lima conference.

¶ 15. (C) Both MFA and MOD stressed that they would like to ensure that any treaty reflects a balance between humanitarian concerns and military and political utility. They asked for details and facts on military utility as they do not feel that the explanations they have received on military utility are convincing. They also stressed that arguments over the cost of replacing older cluster munitions are not a military utility argument. Basically they are responding to our repeated claims that cluster munitions have military utility by asking us to please prove it. Internal Norwegian studies of this issue (supposedly with some input from Israelis on their experiences in Lebanon) have found that cluster munitions do not have a useful political or military utility because of their unsuitability for populated areas or for stability operations. The disproportionate humanitarian impact of cluster munitions, when used in populated areas, brings their political and military utility into question. Simply put the Norwegians have concluded that cluster munitions are only effective in unpopulated areas and that conflict in unpopulated areas will be extremely rare in the future.

¶ 16. (C) The Norwegians welcomed the signal from the U.S. that it would be open to the possibility of establishing a negotiating mandate at the CCW and asked for more information on what such a mandate would cover. The Norwegians will participate at the June meeting of the CCW and would consider

supporting a negotiating mandate if it included the prohibition of at least some cluster munitions and prohibited transfers of such weapons. The Norwegians were quite skeptical of any chances for success in the CCW saying that the Chinese in particular have shown absolutely no willingness to discuss restrictions on cluster munitions. They also questioned the seriousness of the U.S. objections to the Oslo process pointing out that the U.S. delegation to the meetings in Montreaux in April had nothing substantive to say to Norway on the Oslo process.

¶ 17. (C) COMMENT. If the U.S. would like to impact the Lima discussions and any resulting international treaty it seems that detailed and factual arguments, suitable for both public and private audiences, are needed to counter the main Norwegian assertions that cluster munitions have no military utility and that restrictions will not impact alliance operations. Given the growing attendance of the Lima meeting, including some close allies and major military powers, it appears that our claims on military utility and the impact on alliance operations need some factual backing and a good public diplomacy campaign to sway those countries leaning towards approving the Norwegian's initiative. END  
COMMENT  
WHITNEY